

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Call to Order:** By **CHAIRMAN CHRISTINE KAUFMANN**, on February 1, 2005 at 8:00 A.M., in Room 472 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Christine Kaufmann, Chairman (D)  
Sen. Dan Weinberg, Vice Chairman (D)  
Sen. John Cobb (R)  
Rep. Joey Jayne (D)  
Sen. Greg Lind (D)  
Rep. Penny Morgan (R)

**Members Excused:** Rep. Walter McNutt (R)

**Members Absent:** None.

**Staff Present:** Pat Gervais, Legislative Branch  
Laura Good, Committee Secretary  
Lois Steinbeck, Legislative Branch

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

The following exhibit was submitted prior to meeting:

**EXHIBIT(jhh25a01)**

**CHAIR REP. CHRISTINE KAUFMANN, HD 81, HELENA,** called the meeting to order.

**Ms. Gervais** provided a handout on the Child Support Enforcement Division (CSED) Decision Packages (DP's).

**EXHIBIT(jhh25a02)**

***{Tape: 1; Side: A; Approx. Time Counter: 1.7}***

**Mr. Lonnie Olson, Administrator, CSED,** provided the committee with a CSED Budget Presentation for State Fiscal Year (SFY) 2006 and SFY 2007. He discussed the division's background and history, noting that CSED investigated 40,500 cases and collected \$54 million in 2004.

**EXHIBIT(jhh25a03)**

Proceeding with the CSED overview, **Mr. Olson** discussed Page 1, Slide 3, Total Collections versus Expenditures; Page 2, Slide 5, CSED IV-D Services; Page 2, Slide 5, Caseload by Category; Page 3, Slide 7, "Who Receives IV-D Services?"; Page 3, Slide 8, "How Does the CSED Provide Services?"; Page 3, Slide 9, CSED Revenue and Expenditures; Page 4, Slide 10, Revenue; Page 4, Slide 11, TANF Recovery; Page 4, Slide 12, Performance Incentive; Page 5, Slide 13, Performance Incentive Measures; Page 5, Slide 14, Performance Incentive Calculations; Page 5, Slide 15, Paternity Establishment Percentage.

Responding to questions, **Mr. Olson** stated that child support orders have many components, including a medical support order that attempts to secure children's health insurance. He reported that in the next year, the federal government will roll out a requirement mandating enforcement of medical support orders. **Mr. Olson** noted that it is difficult to enforce medical support orders in Montana; a state where many people do not have insurance through their employers and often find it difficult or impossible to afford independent purchase of medical coverage for themselves or their dependents.

**Mr. Olson** referred to Page 8, Slide 24, Analysis of Caseload for information regarding the percentage of CSED caseload participating in Temporary Assistance for Needy Families (TANF). He noted that it is very typical for a family's child support benefit to exceed its TANF benefit.

**Mr. Olson** stated that Montana's statute of limitations extends to ten years, during which time delinquent child support payers may be tracked and required to pay. He said that the statute of limitations can be renewed and extended if child support benefits are needed past the span of the initial ten years.

**{Tape: 1; Side: B}**

**Mr. Olson** returned to the CSED overview, discussing Page 8, Slide 22, Expenditures; Page 8, Slide 23, Personnel Reductions; and Page 9, Slide 25, CSED Cost Avoidance Savings to Medicaid.

Responding to a question from REP. PENNY MORGAN, HD 57, BILLINGS, **Mr. Olson** stated that he believes that \$4.3 million figure indicates Medicaid savings to Montana, rather than to the federal government. He agreed to check this fact and report back to the committee.

At the request of SEN. DAN WEINBERG, SD 2, WHITEFISH, **Mr. Olson** agreed to obtain and provide for the committee information on national statistics for CSED cost-effectiveness. He explained why CSED's cost-effectiveness rating recently declined, despite decreased costs and increased collections and also agreed to provide summary of these details to the committee.

**Mr. Olson** proceeded with Page 9, Slide 26, SEARCHS; Page 10, Slide 27, SEARCHS; Page 10, Slide 28, Department of Public Health and Human Services (DPHHS) System Integrations with Other Agencies and Applications and Systems.

Responding to REP. MORGAN, **Mr. Olson** stated that the SEARCHS system interfaces with other Montana information systems, and also in more limited ways with other states' information systems.

**Mr. Olson** also discussed CSED shortfalls due to decrease in state special revenue collections, which began with the implementation of Welfare Reform. He stated that CSED needs an infusion of general fund monies in order to finish out the year.

Also in response to questions from REP. MORGAN, **Mr. Olson** discussed Page 10, Slide 29, CSED legislation.

**{Tape: 2; Side: A}**

**Ms. Gervais** reiterated that if the state does not operate a CSED program that is in compliance with federal Title IV-D regulations, it will not receive its Federal TANF block grant. She also discussed the two main reasons for CSED budget shortfall: reduction of the number of persons on TANF, and

changes in how federal incentive funds are allocated to states. She went on to discuss DP's and LFD issues noted on Page B-77.

After a break, **CHAIR KAUFMANN** stated that the committee would receive Children and Family Services Division (CFSD) testimony at 10 a.m., and CSED testimony at 11 a.m.

**Ms. Shirley Brown, Administrator, CFSD**, submitted written testimony from individuals who were unable to attend the morning's proceedings.

**EXHIBIT(jhh25a04)**

**REP. TIM CALLAHAN, HD 21, GREAT FALLS**, spoke in support of the Big Brothers Big Sisters (BBBS) program, stating that it was one of the most excellent ways to turn around the life of an at-risk child. He cited personal experiences of his family members, as well as his own professional experiences with BBBS during the span of his career as a juvenile probation officer.

***{Tape: 2; Side: A; Approx. Time Counter: 14.1}***

**Mr. Mike Batista, Division Administrator, Criminal Investigation, Department of Justice**, also supported BBBS, noting that as a coach, he has witnessed excellent improvements in behavior and attitude on the part of children who participate in the BBBS program.

**Ms. Alison Judnich, President, Big Brothers and Big Sisters of Montana**, provided a handout on and discussed the Program's components and long-term benefits to participating children.

**EXHIBIT(jhh25a05)**

***{Tape: 2; Side: A; Approx. Time Counter: 22}***

**Ms. Twila Costigan, Montana State Foster and Adoptive Association; employee, Intermountain Children's home**, provided and read portions of written testimony from several individuals and families who were unable to attend the meeting. She discussed roles and responsibilities of foster parents, recruitment and retention of foster and adoptive parents; noted the average per day reimbursement rate for foster and adoptive parents, and made several additional funding requests.

**EXHIBIT(jhh25a06)**

**Mr. Mike McFadden**, an 18-year-old Helena resident, has been in-and-out of foster care since age four. He vouched for the excellent foster care transition programs and urged increased funding, noting the personal, academic, leadership and musical accomplishments these programs have helped him to achieve.

***{Tape: 2; Side: B}***

**Ms. Ashley Nielson**, a 19-year-old University of Montana student, has been involved in the foster care system since age three. She also vouched for and urged increased funding for foster care and foster care transition programs, which currently cover the majority of her university costs. She told the committee that she hopes to secure a degree in psychology and help children who face challenges similar to those that she overcame.

***{Comments: No audio exists for this portion of the testimony}***

**Mr. Olson** discussed various typical collections situations, last year's failed bill to authorize a fee for CSED, and stated that without additional general fund monies, CSED would have to reconfigure its system markedly in order to shrink in size and scope while still meeting all federal requirements necessary for funding. This might entail closing two or three of five offices. He also noted that federal disqualification of CSED could lead to suspension of Montana's Temporary Assistance for Needy Families (TANF) block grant.

***{Tape: 2; Side: B; Approx. Time Counter: 7.1}***

**Mr. John Chappuis, Deputy Director (DPHHS)**, noted ways in which CSED has become more efficient, despite major FTE reduction.

**SEN. DAN WEINBERG, SD 2, WHITEFISH**, wondered where cuts could be made in other DPHHS divisions or programs in order to promote efficiency and perhaps increase service to consumers.

**Mr. Chappuis** offered his comments.

**SEN. GREG LIND, SD 50, MISSOULA**, asked if there was anything the committee could do to reduce CSED caseload, or help CSED to catch cases early and thus deal with them in more cost-effective ways.

**Mr. Olson** suggested augmentation of staff who would be able to more immediately and thoroughly address consumers' needs, and provision of a medical insurance program readily available to and affordable for all Montana citizens.

**Ms. Gervais** noted that federal regulations require CSED to serve anyone who applies to their division for help.

**SEN. LIND** asked Mr. Olson if CSED might consider creating an intervention program in hospitals, to identify and aid parents of CSED children as soon as the children are born.

***{Tape: 2; Side: B; Approx. Time Counter: 15.4}***

**Mr. Olson** described the scope and details of such a plan, which CSED currently implements.

**REP. MORGAN** asked if there were other division that, like CSED, could reduce FTE's and expenses.

**Mr. Chappuis** stated that FTE additions authorized by the committee have gone to divisions that are expanding or improving programs and field services for clients. He noted that FTE reductions have to be done in ways that do not jeopardize funding eligibility.

**SEN. JOHN COBB, SD 9, AUGUSTA,** requested information on the CSED staff turn-over rate.

**Mr. Olson** stated that the Helena turnover rate is stable, while the turnover rate in Billings and Butte has been substantial.

***{Tape: 2; Side: B; Approx. Time Counter: 23.3}***

**Mr. Chappuis** discussed health insurance programs that might be of ease the challenges faced by CSED and other DPHHS divisions and programs.

**CHAIR KAUFMANN** thanked Mr. Olson for his time and introduced the CSED Decision Package (DP) overview.

**Ms. Gervais** discussed DP's and Legislative Fiscal Division (LFD) issues noted on Pages B-75 and B-76 of the Budget Analysis. The CFSD provided the committee with two brochures detailing CSFD procedures and programs.

**EXHIBIT** (jhh25a07)

***{Tape: 3; Side: A}***

**Ms. Desiree Blackburn**, 17-years-old, discussed her personal experiences in Montana foster care, and described the excellent services available through the Montana foster care independence program.

**Ms. Trisha Anderson**, 19-years-old, stated that the Montana foster care independence program has helped her and her younger sister envision and create a future for themselves. She noted that she mentors two girls through her local BBBS program.

**Mr. Julius Shoulderblade**, 19-years-old, discussed his own and his siblings' experiences inside and outside the foster care system, reporting the positive benefits reaped by those who are in the program.

**Ms. Amanda Parsons**, 18-years-old, has been in the foster care program since the age of four. She thanked the committee, division and department for giving her a chance to succeed.

*{Tape: 3; Side: A; Approx. Time Counter: 9.2}*

**Ms. Julie Fleck**, in-home contractor providing parenting education and support in Northwestern Montana, serves over 150 children and families in her region alone, teaching money management, discipline, and other parenting skills. She urged restoration of CFSD funding cuts and offered a written account of her testimony.

[EXHIBIT\(jhh25a08\)](#)

**Mr. Tel Linnell** offered testimony regarding his family's excellent experiences in the CFSD-supported Family and Partnership program. She submitted written testimony from several other children who were unable to attend the meeting.

[EXHIBIT\(jhh25a09\)](#)

**Ms. Colleen Murphy**, President, Montana Chapter of National Association of Social Workers, discussed CFSD staffing concerns, provided information on the Child Welfare League of America Recommended Caseload Standards, and submitted a packet of articles on litigation concerning other states' foster care systems.

[EXHIBIT\(jhh25a10\)](#)

[EXHIBIT\(jhh25a11\)](#)

*{Tape: 3; Side: A; Approx. Time Counter: 21}*

**Mr. Jeremiah O'Leary**, 50-year-old single father, described the parenting education and help available to him through Youth Dynamics. He urged increased funding for CFSD providers.

**Ms. Shirley Tiernan**, retired CFSD social worker, emphasized that a fully staffed, adequately paid and well-trained CFSD direct services staff is absolutely necessary.

*{Tape: 3; Side: B}*

**Ms. Christy Anderson**, 26-year-old recovering drug addict, stated that because CFSD had no parenting education class slots available, a Youth Dynamics, Inc. staff person was recruited to come to her home and help her learn about money management, nutrition, discipline, and other parenting skills. **Ms. Anderson** expressed her gratitude for these CFSD follow-up services available and urged continued and increased funding for them.

**Ms. Mary Baucum**, foster care guardian for two great-granddaughters, told the committee about how a Friends to Youth therapist provided excellent care to her granddaughters and helped them to heal from abuse and trauma.

**EXHIBIT(jhh25a12)**

**Chaplain Russ Genaw**, has served as a chaplain for the correctional system and two group homes, and has fostered 35 children with his wife. In all of these areas, he has seen the long-term affects of abuse and neglect not addressed through caring relationship. He requested funding increases for service providers.

**EXHIBIT(jhh25a13)**

*{Tape: 3; Side: B; Approx. Time Counter: 12.6}*

**Mr. Joe Loos, Clinical Director, Friends to Youth**, offered reflections on CFSD's fiscal proposals. He also submitted and read an excerpt from written testimony submitted on behalf of a Missoula family receiving help from a child and family services provider.

**EXHIBIT(jhh25a14)**

**Ms. Kaitlin Klepzig**, 12-year-old HIV-positive adopted child, requested appropriation of funds to cover respites services and costs of travel to Salt Lake for her and her brother's HIV management care.

**EXHIBIT(jhh25a15)**

***{Tape: 3; Side: B; Approx. Time Counter: 17.2}***

**Ms. Cleo Klepzig**, foster mother, has cared for 27 foster children and has, with her husband, adopted five children. She discussed the challenges of caring for adopted children who bear the physical, mental and emotional scars of abuse and neglect. She requested increased transportation and respite funds for foster and adoptive parents.

**EXHIBIT(jhh25a16)**

**Ms. Pat Llewellyn**, foster care mother, discussed the financial challenges posed to foster and adoptive parents by recent funding cuts.

**Mr. Geoff Birnbaum, President, Montana Children's Association; Executive Director, Missoula Group Homes**, has been a foster parent for 30 years with his wife. He advocated a balanced approach to children and family services through adequate funding and support for youth corrections, child protection and children's mental health. He also urged restoration of foster parents support, with increased funds for respite, transportation and clothing allowances, and support for federal compliance and state intent in adequately staffing CFSD.

***{Tape: 4; Side: A}***

**Mr. Tyler Linnell** thanked the committee for funding counseling services through Families in Partnership.

**Mr. Chris Yde**, foster parent, with his wife has fostered 26 children and adopted one child. He requested restoration of and increases in funding for respite, transportation, clothing allowances, and diaper allowances. He urged the need for in-home care and support services that might help biological parents care well for their children, thus slowing the movement of children to the foster care system.

**Ms. Nancy Marks**, who with her husband foster parents a three-child sibling group, described her family's challenges and advocated restoration of support service funds for foster parents. She also submitted a written version of her testimony.

**EXHIBIT(jhh25a17)**

**Ms. Taylor Linnell** described for the committee ways in which Families in Partnership has helped her family and other families in her community.

***{Tape: 4; Side: A; Approx. Time Counter: 10.5}***

**Ms. Pat Guschausky**, foster parents, thanked the state for funding parenting education at the Montana State Foster and Adoptive Association conference. She also advocated restoration of respite funds.

**Ms. Kimberly Gardner, Administrator, Alternative Youth Adventures**, expressed her concerns about the lack of families willing to provide foster care, decreased clothing and transportation stipends for foster care families, and inadequate Licensed Social Worker staffing at CFSD.

**Ms. Alice Hougardy, Programs Director, Developmental Assistance Program (DEAP), Miles City**, discussed the necessity and process of family reunification between foster care children and their biological parents. She also emphasized the efficacy of in-home prevention programs, citing positive statistics gleaned from her organization's work. Finally, she described ways in which increasing methamphetamine use feeds the foster care crisis.

**Ms. Heather Chandler**, a young mother who received education, training and support from DEAP when domestic violence in the home caused her to have her children temporarily removed, expressed her thanks for DEAP's work and urged increased funding for providers.

***{Tape: 4; Side: A; Approx. Time Counter: 21.8}***

**Ms. Janie McCall, Montana Children's Initiative provider association**, asked the committee to protect children by protecting and supporting their families, namely through adequate funding of programs and services mentioned today.

**Ms. Dori Linnell**, mother of several young children, expressed her thanks for the programs available to her family through Families in Partnership, which helped them to secure counseling services and winter coats.

**CHAIR KAUFMANN** called for CSED testimony. There was none.

**SEN. COBB** noted that despite the fact CFSD has less staff, the committee received no expressly negative testimony regarding CFSD services.

**Ms. Brown** stated that she was unsure as to why there was no such testimony.

*{Tape: 4; Side: A; Approx. Time Counter: 25.7}*

**SEN. LIND** asked Ms. Hougardy about the 90% Rosebud County 2003 child mortality rate she reported in her testimony.

**Ms. Hougardy** confirmed that her organization's statistics reflected this child mortality rate, and agreed to send the committee more information about it.

*{Tape: 4; Side: A; Approx. Time Counter: 27}*

**REP. MORGAN** requested more information about why many of the foster children testifying today reported a high number of family placements.

**Ms. Brown** stated that children receive new placements when a family and child do not prove to fit well together, or when a child needs care from a more intensive or therapeutic foster or group home. She also stated that CFSD is doing its best to reduce the number of placements each child experiences.

**SEN. WEINBERG** expressed to attendees that the committee would work hard to advocate for their needs and request.

The following exhibit was submitted following the meeting:

[EXHIBIT\(jhh25a18\)](#)

**ADJOURNMENT**

Adjournment: 12:00 A.M.

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REP. CHRISTINE KAUFMANN, Chairman

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LAURA GOOD, Secretary

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Additional Exhibits:

**EXHIBIT ([jhh25aad0.TIF](#))**